IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 3RD JULY 2007 / 12TH ASHADHA 1929

WP(C).No. 35254 of 2005(V)

PETITIONER:

SHIBU JOSEPH, VALLIYAPARAMBIL HOUSE,
MANIMALA POST, VELLAVOOR VILLAGE,
KOTTAYAM DISTRICT.

BY ADV. SRI.P.KURUVILLA JACOB

RESPONDENTS:

1. **THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES, KOTTAYAM.**

2. **THE MANAGER, THE KOTTAYAM CO-OPERATIVE AGRICULTURAL AND RURAL DEVELOPMENT BANK LTD. NO.K-48, HEAD OFFICE AT KOTTAYAM.**

3. **THE BRANCH MANAGER, THE KOTTAYAM CO-OPERATIVE AGRICULTURAL AND RURAL DEVELOPMENT BANK LTD.NO.K-48, KODUNGOOR BRANCH, KODUNGOOR POST, KOTTAYAM DISTRICT.**

4. **SPECIAL SALE OFFICER, KOTTAYAM CO-OPERATIVE AGRICULTURAL AND RURAL DEVELOPMENT BANK LTD.NO.K-48, HEAD OFFICE AT KOTTAYAM.**

BY GOVT. PLEADER SMT.ANU SIVARAMAN
ADV.SRI.V.G.ARUN FOR R2 AND R3

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 03/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1	**TRUE COPY OF RECEIPT DTD. 12-12-03 OF R3 ISSUED TO PETITIONER.**
EXT.P2	**TRUE COPY OF RECEIPT DTD. 22-11-04 OF R2 ISSUED TO PETR.**
EXT.P3	**TRUE COPY OF 3RD RESPONDENT'S NOTICE DTD. 22-9-05 ISSUED TO PETITIONER.**
EXT.P4	**TRUE COPY OF PETITIONER'S COMPLAINT DTD. 27-9-05 SUBMITTED BEFORE R3**
EXT.P5	**TRUE COPY OF 4TH RESPONDENT'S NOTICE DTD. 22-11-05 COMMUNICATED TO THE PETITIONER.**
EXT.P6	**TRUE COPY OF PETITIONER'S COMPLAINT DTD. 13-12-05 SUBMITTED BEFORE THE FIRST RESPONDENT.**

/True Copy/

PA to Judge.

K.M.JOSEPH, J.

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W.P.(C).No. 35254 OF 2005

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Dated this the 3rd day of July, 2007

JUDGMENT

Petitioner availed a loan which he could not repay. Recovery steps were taken which is challenged in this writ petition.

2. I heard learned counsel for the petitioner and the learned counsel for the respondents also. Learned counsel for the petitioner prays for time to pay the amount.

The writ petition is disposed of as follows:

Respondents 2 and 3 will serve a statement on the petitioner within one week from today showing the actual amount due with interest payable by the petitioner. Petitioner is granted time till 02/08/2007 to pay half of the amount shown in the statement as payable by the petitioner. The balance amount will be paid in three equal monthly instalments, the first of which shall be payable on or before 02/09/2007. In the statement the bank will also indicate the amount of instalments to be paid by the petitioner. If the petitioner fails to pay either half of the amount or any of the instalments as aforesaid, it is open to the respondents to proceed against the petitioner in accordance with law. If the petitioner continues to pay the instalments, proceedings will not be enforced against him.

(K.M.JOSEPH, JUDGE)

sv.

(K.M.JOSEPH, JUDGE)

sv.